

**From:** Douglas Mitts  
**To:** Microsoft ATR  
**Date:** 12/2/01 4:42pm  
**Subject:** Microsoft Settlement

Dear Department of Justice,

Hi! I was wanting to comment on my feeling of disappointment with regard to the Microsoft Antitrust case. I use Microsoft products (I pay and pay and pay), but also enjoy the Apple Macintosh platform (actually I prefer it). Due to Microsoft's anticompetitive tactics over the years, many software companies that were viable are no longer viable and have either been bought out or taken into receivership.

I do not think that Justice Department should drop this case by settlement. I am not out to get Microsoft, but I will say they are more than a monopoly on a national level. They are a global monopoly and they work to maintain that monopoly. Justice Penfield Jackson, despite the lack of control he displayed, was right. The settlement does nothing to restrict Microsoft's practices. It will take the EU, rather than the U.S. due to the companies global reach.

I've seen too many very good software packages go the way of losing to Microsoft's software, not because Microsoft has had better software, but because they competed in an unfair way circumventing real market forces.

I am a consumer. I like competition. It helps innovation and price for me. Today I get no additional benefit from the Microsoft products I have to use (simply because there are no others that are cross-platform due to Microsoft's practices) but to upgrade I still pay astronomical prices, even though the additional benefit is non-existent.

Back to the Global Monopoly idea. I am a U.S. citizen living in Poland as a part of my work. Here, even though Apple Computer offered to underwrite the localization of Microsoft Office for the Mac (i.e., make it a Polish program), Microsoft refused to localize it, even though all the costs of localization would be paid by Apple. Microsoft only stood to profit (it also tells you Microsoft's motivation for investing in Apple in 1997 was more to avoid the appearance of a monopoly than altruism on their part).

I cannot use a competitor's product with regard to Word Processing, Spreadsheet and presentation software, because there is no competition any more due to Microsoft's practices (i.e., Microsoft owns those markets). Each of their products needs to become a separate company.

Now, the DOJ wants to settle, but is it because Microsoft actually has the deeper pockets in this case? Is it because they donate to politicians? Or is it because they in fact are not an intrusive,

aggressive monopoly (I thought the findings of fact said so)?

As a consumer, it is clear to me that Microsoft is a monopoly that warrants needing government intervention and remedies prescribed to curtail their anticompetitive practices.

Now, I am not a lawyer, but I am saying I don't want to see Apple go the way of the rest due to Microsoft's practices. Apple and its OS is the only viable alternative.

Thanks for listening. You know this stuff already. I need to speak up.

Sincerely,  
Doug Mitts